

REMARKS/ARGUMENTS

Single independent claim 1 and claims 2-11 remain in this application for examination.

It is respectfully submitted that there are no new issues presented by this amendment because Applicant has defined the "unitary body" as being of a single piece. This issue was discussed in the previous amendment and the distinction between unitary and integral was set forth in the previous amendment as follows:

As the Examiner realizes, Hultgren discloses a structure which is different from Applicant's invention because in Hultgren, the combination filter element support 48 and anti-prefill valve 76 are made of separate pieces, the support 48 being made of metal and the anti-prefill valve 76 being made of rubber.

In Applicant's claimed invention, a combination filter element support and anti-prefill valve are configured from unitary body made of a single piece, rather than an integrated body made of more than one piece. Excluding the bypass valve 64 and the bypass spring 66 of Hultgren, there are still at least 4 separate elements comprising the valve assembly 46, i.e. the sleeve 52, the support member 48, the anti-drainback valve 46 and the L-shaped reinforcement member 92. Applicant has but a single element 12 which forms a combination filter element support and anti-prefill valve. The advantages of the single element 12 are set forth in the Applicant's background of the Invention as follows:

During manufacture, when disparate parts are matched, the risk of failure is increased because one of the parts may be of inferior quality and adversely effect the reliability of the entire assembly. It is frequently time consuming and therefore costly to assemble the plurality of elements in order to configure an item reliably. Consequently, utilizing only a single element can be advantageous. This is especially the case with mass produced items such as filters for engine lubricating oil which are manufactured by the millions.

An assembly which makes an element "unitary," as disclosed and claimed by Applicant, is not a distinction without a difference.

The New World Dictionary defines the term "unitary" as follows:

"having the nature of or used as a unit", and
"based on or characterized by unity."

The term "unity" found in Webster's New World Dictionary is defined as "a single distinct part or object."

The Prior Art, Hultgren, discloses integral structure, in other words, a structure "made up of parts forming a whole" as defined in Webster's New World Dictionary. Clearly Hultgren fails to anticipate a unitary structure.

For the foregoing reasons, Applicant respectfully requests that the rejection under 35 U.S.C. §102 be withdrawn and that this application be allowed and passed to issue.

If the Examiner for any reason feels a personal conference with Applicants' attorneys might expedite prosecution of this application, the Examiner is respectfully requested to telephone the undersigned locally.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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